



Patent
Attorney Docket No. 892,280-603
(formerly 342312004920)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

LEWIS et al.

Serial No.: 10/777,455

Filed: February 11, 2004

For: NOVEL LINCOMYCIN
DERIVATIVES POSSESSING
ANTIMICROBIAL ACTIVITY

Group Art Unit: 1623

Examiner Peselev

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97–1.98, information relating to the above-identified application is hereby disclosed. The accompanying Form PTO-1449 provides a listing of documents that may be relevant to the subject application.

It is requested that the Examiner fully consider the art cited in the accompanying Form 1449, initial the left-most column of the form adjacent each cited reference, and return a copy for Applicants' records. It is further requested that the art be cited on the cover of any patent issuing from the subject application.

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450.

September 9, 2005
Date of Deposit
NB1:662886.1

Cynthia B. Pacheco
Cynthia B. Pacheco

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required. However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

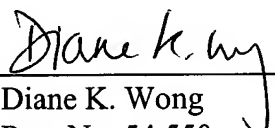
In accordance with § 1.98(d), copies of some or all of the references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the Patent and Trademark Office in the related U.S. Application Serial No. 10/642,807, filed August 15, 2003. Accordingly, Applicants will provide duplicate copies in respect of the present case only if the Examiner so desires.

This statement should not be construed as a representation that more material information does not exist or that an exhaustive search of the relevant art has been made. Nor does this statement constitute an admission by Applicants or Applicants' agent that the information provided herein is necessarily prior art to Applicants' invention. Moreover, Applicants reserve the right to establish the patentability of the claimed invention over any of the listed documents should they be applied there-against as references. Please charge any deficiency or credit any overpayment to Deposit Account No. 50-2862.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: September 9, 2005

By 
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Substitute for form 1449A-PTO

SEP 12 2005

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application No.	10/777,455
Filing Date	February 11, 2004
First Named Inventor	Lewis et al.
Art Unit	1623
Examiner Name	Peselev
Attorney Docket No.	892,280-603 (formerly 342312004920)

Sheet 1 of 3

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Document No. Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	2,851,463	09/09/1958	Hinman et al.	
	2.	2,928,844	03/15/1960	De Boer et al.	
	3.	3,255,174	06/07/1966	Bannister et al.	
	4.	3,268,556	08/23/1966	Hoeksema	
	5.	3,282,917	11/01/1966	Magerlein	
	6.	3,361,739	01/02/1968	Argoudelis et al.	
	7.	3,364,197	01/16/1968	Hoeksema	
	8.	3,539,689	11/10/1970	Birkenmeyer et al.	
	9.	3,555,007	01/12/1971	Magerlein	
	10.	3,702,322	11/07/1972	Bannister	
	11.	3,892,729	07/01/1975	Birkenmeyer	
	12.	3,892,730	07/01/1975	Birkenmeyer	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	13.	EP 0161 794	11/21/1985	The Upjohn Company		
	14.	GB 1 298 295	11/29/1972	The Upjohn Company		
	15.	GB 1 347 598	02/27/1974	The Upjohn Company		
	16.	WO 2005/012320	02/10/2005	Vicuron Pharmaceuticals Inc.		
	17.	WO 2005/007665	01/27/2005	Vicuron Pharmaceuticals Inc.		

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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				First Named Inventor	Lewis
				Art Unit	1623
				Examiner Name	Peselev
Sheet	2	of	3	Attorney Docket No.	892,280-603 (formerly 342312004920)

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s) volume-issue number(s), publisher, city and/or country where published	T ²
	18.	International Search Report mailed on May 6, 2005, for PCT Patent Application PCT/US2004/019497 filed on June 17, 2004, 7 pages	
	19.	International Search Report mailed on August 8, 2005, for PCT Patent Application PCT/US2004/019689 filed on June 17, 2004, 21 pages	
	20.	Bannister, B. et al. (1980) "The S-Alkylation of Sulphides by an Activated Carbohydrate Epimine Under Acidic Catalysis: the Formation of α-Acetamido-sulphides. Part 4. Reactions with Dithioacetals and Monothioacetals" JOURNAL OF THE CHEMICAL SOCIETY, PERKINS TRANSACTIONS 1 2:540-552	
	21.	Bannister, B. et al. (1989) "The S-Alkylation of Sulphides by an Activated Carbohydrate Epimine Under Acidic Catalysis: the Formation of α-Acetamido-sulphides. Part 5. The Introduction of Functionality into the Sulphide Substituent" JOURNAL OF CHEMICAL RESEARCH 4:90-91	
	22.	Deiters, A. et al. (2004) "Synthesis of Oxygen- and Nitrogen-Containing Heterocycles by Ring-Closing Metathesis" CHEM. REV. 104: 2199-2238.	
	23.	Dondoni, A. et al. (1997) "Stereoselective Addition of 2-Furyllithium and 2-Thiazolylithium to Sugar Nitrones. Synthesis of Carbon-Linked Glycoglycines." JOURNAL OF ORGANIC CHEMISTRY 62(16): 5484-96.	
	24.	Dondini, A. (1994) "Synthesis of N-Benzyl Nitrones" SYNTHETIC COMMUNICATIONS 24(18):2537-50.	
	25.	Fukuyama, T. et al. (1995) "2- and 4-Nitrobenzenesulfonamides: Exceptionally Versatile Means for Preparation of Secondary Amines and Protection of Amines." TETRAHEDRON LETTERS 36(36): 6373-74.	
	26.	Griffith, W.P. et al. (1990) "TPAP: Tetra-n-propylammonium Perruthenate, A Mild and Convenient Oxidant for Alcohols." ALDRICHIMICA ACTA 23(1): 13-19.	
	27.	Ibatullin, F.M. et al. (2002) "Reaction of 1,2-trans-glycosyl acetates with phosphorus pentachloride: new efficient approach to 1,2-trans-glycosyl chlorides" TETRAHEDRON LETTERS 43: 9577-9580.	

NB1:662846. 2Examiner Signature		Date Considered	
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Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s) volume-issue number(s); publisher, city and/or country where published	T ²
	28.	Magerlein, B.J. et al. (1969) "Lincomycin. VIII. 4'-Alkyl-1'-demethyl-4'-depropylclindamycins, Potent Antibacterial and Antimalarial Agents" JOURNAL OF MEDICINAL CHEMISTRY 12: 780-84.	
	29.	Magerlein, B.J. (1967) "Lincomycin. VII. 4'-depropyl-4'-ethoxylincomycins" JOURNAL OF MEDICINAL CHEMISTRY 10(6): 1161-63.	
	30.	Misiek, M. et al. (1973) "Microbiological Properties of a New Cephalosporin, BL-S 339: 7-(Phenylacetimidoyl-aminoacetamido)-3-(2-Methyl-1,3,4-Thiadiazol-5-Ylthiomethyl)Ceph-3-em-4-Carboxylic Acid" ANTIMICROBIAL AGENTS AND CHEMOTHERAPY 3(1):40-48.	
	31.	Myers, A.G. et al. (1999) "Greatly Simplified Procedures for the Synthesis of α -Amino Acids by the Direct Alkylation of Pseudoephedrine Glycinamide Hydrate" J. ORG. CHEM. 64: 3322-27.	
	32.	Watanabe, T. et al. (1982) "Synthesis of α -Amino-cycloheptatriene-1-acetic Acids and Their 7-Acylaminocephalosporin Derivatives" CHEMICAL PHARMACEUTICAL BULLETIN 30(7): 2579-82.	

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